

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ADELPHIA GATEWAY, LLC,	:	CIVIL ACTION NO. 1:21-CV-1241
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
PENNSYLVANIA ENVIRONMENTAL	:	
HEARING BOARD, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of November, 2021, upon consideration of the motion (Doc. 32) to dismiss filed jointly by defendants West Rockhill Township, Cliff Cole, Pamela West, Brian Weirback, Kathy Weirback, Todd Shelly, Christine Shelly, Daniel McCarthy, and Sheila McCarthy (collectively “defendants”), and the opposition filed jointly by plaintiff Adelphia Gateway, LLC, (“Adelphia”), and intervenor, Commonwealth of Pennsylvania Department of Environmental Protection, (see Doc. 38), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendants’ motion (Doc. 32) is GRANTED and Adelphia’s complaint (Doc. 1) is DISMISSED with prejudice.
2. Adelphia’s motion (Doc. 8) for preliminary injunction is DENIED as moot.
3. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania